

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 3 and 19-21 are currently being cancelled.

Claims 1, 2, 4, 5, 7, 9, 12, 13 and 15 are currently being amended.

Claims 22 and 23 are currently being added.

This amendment adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After adding, canceling and amending the claims as set forth above, claims 1, 2, 4-18 and 22-23 are now pending in this application.

Specification Amendments:

The specification has been amended to correct minor grammatical and typographical errors found therein. No new matter has been added.

Claim Rejections – Indefiniteness:

In the Office Action, claims 19-21 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite, since the “plurality of first channel allocating switches” in those claims is alleged to not be supported by the specification. In reply, please note that these original claims form part of the specification, and whereby Applicant reserves the right to include the above feature into the Detailed Description portion of the specification at some later point in time, if desired. However, at the present point in time, claims 19-21 have been canceled without prejudice or disclaimer, thereby mooted this rejection.

Claim Rejections – Prior Art:

In the Office Action, claims 1, 2 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0009542 to Kasal et al.; claims 3 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasal et al. in view of U.S. Patent No. 6,975,581 to Medina et al.; claims 4 and 12 were rejected under 35 U.S.C. §

103(a) as being unpatentable over Kasal et al. in view of Medina et al. in view of U.S. Patent No. 5,892,912 to Suzuki et al. and further in view of WO 98/44684 to Ekstrom; claims 5, 6, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasal et al. in view of Medina et al. and further in view of Ekstrom; claims 7, 8, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasal et al. in view of Medina et al. and further in view of U.S. Patent No. 6,873,624 to Johansson et al.; claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasal et al. in view of U.S. Patent No. 5,621,456 to Florin et al.; and claims 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasal et al. in view of U.S. Patent Publication No. 2006/0155875 to Cheriton and further in view of U.S. Patent Publication No. 2003/0061369 to Aksu et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

With respect to the rejection of dependent claim 11, whereby the features of that claim have been incorporated into presently pending independent claims 1 and 2 (with slight modifications with respect to claim 1), the Office Action asserts that Figure 1 and paragraphs 0029 and 0070 of Kasal teach the claimed transceiver. Applicant respectfully disagrees. Namely, the claimed transceiver is an element of the second channel allocating switches, to thereby allow the second channel allocating switches to communicate with a default server. Figure 1 of Kasal merely shows a network connecting a bank of servers 132 to a first switch 124, and a network connecting the first switch 124 to second switches 122. Paragraph 0029 of Kasal describes that one of the servers within the server farm 156 is a run-time management server, whereby this paragraph says nothing about the features of its second switches 122. Paragraph 0070 of Kasal describes that quality customs screen and web browsing are achieved by various software applications, to allow for menu options and associated functionality for property services. This paragraph of Kasal appears to describe features of Kasal's set top boxes 115, whereby this paragraph says nothing about the features of Kasal's second switches 122.

Accordingly, Kasal does not teach or suggest a transceiver provided in his second switches 122, for enabling communication with a default server within his server farm 156.

Since none of the other cited art of record rectifies these deficiencies of Kasal, presently pending independent claims 1 and 2 are patentable over the cited art of record.

Also, in its rejection of dependent claim 7, the Office Action asserts that Johansson teaches a control section that receives a channel switching request signal from a content receiving terminal, whereby reconfiguration of a VLAN allocation is performed to a user based on the type of service specified to be used by the user. While this statement may be true on its face, Johansson does not teach or suggest that referral is made to a menu of television broadcast contents generated by a default server in order to effect a channel switch. Rather, it appears that a network operator sets and resets his or her switches via his or her terminal, as described in column 4, lines 47-50 of Johansson, whereby no menu of television broadcast contents as provided by a default server is utilized in the system of Johansson.

Accordingly, since none of the other cited art of record rectifies these deficiencies of Johansson, claims 7, as well as claims 8 (which depends from claim 7), 15 (which recites similar features as those discussed above in claim 7) and 16 (which depends from claim 15) are patentable over the cited art of record, beyond the reasons given above for their respective base claim.

Further, with respect to dependent claim 12, that claim now recites that, when a channel is selected by a user by operation of an input device on one of the television broadcast content receiving terminals, said control section of one of said second channel allocating switches that is communicatively connected to said one of said television broadcast content receiving terminals is informed thereof and transmits a switching request signal to said default server by way of said respective transceiver and a default virtual local area network that corresponds to one of said virtual local area networks. None of the cited art of record teaches or suggest such features of a control section and a transceiver for outputting a switching request signal to a default server when an input operation by a user (on the user's television broadcast content receiving terminal) is made.

Accordingly, claim 12 is patentable over the cited art of record, beyond the reasons given above for its base claim.

Still further, with respect to the rejection of dependent claims 9 and 10, those claims now recite that the default server cyclically receives the television broadcast contents from the television broadcast content distributing servers on a compressed-data basis, and time-expands the cyclically (or time-divisionally) received television broadcast contents to generate the menu of the television broadcast contents by reducing images thereof. Support for these newly-added features to claims 9 and 10 may be found on page 10, lines 10-15 of

the specification. While Florin describes that an A/V connect module 66 samples a video frame from each of 12 programs every pre-determined number of frames, in order to display multiple images at the same time, Florin does not teach or suggest receiving television broadcast contents on a compressed-data basis and time-expanding the cyclically (or time-divisionally) received television broadcast contents to generate a menu of television broadcast contents by reducing images thereof.

Since none of the other cited art of record rectifies these deficiencies of Florin, presently pending claims 9 and 10 are patentable over the cited art of record, beyond the reasons given above for their respective base claim.

New Claims:

New claims 22 and 23 have been added to recite additional features of the present invention that are believed to provide a separate basis of patentability for those claims, beyond the reasons given above for their respective base claim. Support for these new claims may be found on page 11, lines 14-22 of the specification, for example.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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